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F A C S I M I L E C O V E R S H E E T

To: U.S. Patent and Trademark Office
Attention: Maintenance Fee
Branch

MATTER NUMBER: 20238.18CON

TELEPHONE: (571) 272-6500 **FAX:** (571) 273-6500

FROM: Carl M. Napolitano **DATE:** 11/12/09

NUMBER OF PAGES (INCLUDING COVER SHEET) 4

COMMENTS/INSTRUCTIONS: Re: Notification of Error in Payment of Fee(s) for:
U.S. Patent No. 7,299,761
Issued: 11/27/07
U.S. Serial No. 10/689,557

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent No. 7,299,761 of:

BORDEN M. LARSON ET AL.

Serial No. 10/689,557

Filing Date: 10/20/03

Issue Date: 11/27/07

For: **WATER SPORT TOWING
APPARATUS**

Art Unit: 3617

Attorney Docket No.: 20238.18CON

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Sir:

**NOTIFICATION OF ERROR IN PAYMENT OF FEE(S)
AS A SMALL ENTITY STATUS PURSUANT TO 37 CFR § 1.28(c)**

Applicant hereby notifies the Patent and Trademark Office that on October 20, 2003, the above identified patent application was filed with the U.S. Patent and Trademark Office. The Filing Fees and all fees subsequently were paid identifying the Applicant as small entity. The claim for small entity set forth in the verified statement originally filed is hereby withdrawn. The failure to pay the fees as a large entity occurred without deceptive intent.

Pursuant to 37 CFR §1.28(c)(2)(ii), the deficiency in the payment of fees is itemized below:

11/16/2009 DALLEN 00000014 010484 10609557
01 FC:1461 3340.75 DA

in re U.S. Patent No. 7,299,761 of:
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TYPE OF FEE	CURRENT FEE AMOUNT FOR NON- SMALL ENTITY	SMALL ENTITY FEE PAID	DATE SMALL ENTITY FEE PAID	FEE DEFICIENCY OWED
Filing Fee	850.00	385.00	04/26/04	465.00
Surcharge	130.00	65.00	04/26/04	65.00
1 Month Extension	130.00	55.00	04/26/04	75.00
Terminal Disclaimer	140.00	55.00	12/03/04	85.00
2 Month Extension	490.00	215.00	12/03/04	275.00
Request for Continued Examination (RCE)	810.00	395.00	05/31/05	415.00
3 Month Extension	1,110.00	510.00	12/12/05	600.00
Extra Independent Claims Fee (3)	660.00	300.00	07/31/06	360.00
2 Month Extension	490.00	225.00	07/31/06	265.00
Issue Fee	1,510.00	700.00	10/19/07	810.00
TOTAL DEFICIENCY PAYMENT OWED:				3,340.75

Pursuant to 37 CFR §1.28(d), the payment of the deficiencies as itemized above operates as notification of loss of status and will be treated under §1.27(g)(2) as a notification of loss of entitlement to small entity status.

in re U.S. Patent No. 7,299,761 of:
BORDEN M. LARSON ET AL.
Serial No. 10/689,557
Filing Date: 10/20/03

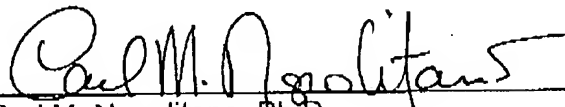
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The Commissioner is authorized to charge Deposit Account No. 01-0484 in the total amount of \$3,340.75. If any additional fee is required, authorization is given to charge the Deposit Account No. 01-0484.

Respectfully submitted,



Carl M. Napolitano, Ph.D.

Reg. No. 37,405

ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST, P.A.

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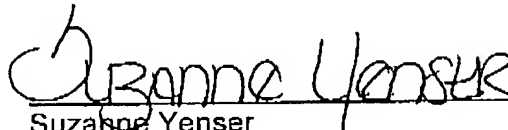
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Agent for Applicant

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the foregoing is being facsimiled transmitted, (571) 273-6500 to the Commissioner for Patents, Maintenance Fee Branch, Office of Finance, this 12TH day of November, 2009.



Suzanne Yenser